

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:)
Jones)
)
Serial No.: 08/852,119) Art Unit: 3614
)
Filed: May 6, 1997) Examiner: Louis-Jacques, J.
)
For: ADVANCE NOTIFICATION SYSTEM) Docket No.: 050711-1026
AND METHOD UTILIZING A)
COMPUTER NETWORK)

DECLARATION BY SCOTT A. HORSTEMEYER

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

I, the undersigned Scott Horstemeyer, hereby declare the following:

1.

I am a registered patent attorney (Reg. No. 34, 183) who helped to prepare the patent application that eventually issued as U.S. Patent No. 5,400,020. Exhibit C submitted herewith is a copy of a billing record describing some of the work I performed in connection with the aforementioned patent application. Each of the expenses listed in Exhibit C were expenses incurred as a result of the preparation of the aforementioned patent application. I am aware that these expenses are related to the aforementioned patent application based on internal billing numbers that relate the expenses to the aforementioned patent application.

2.

The date accompanying each expense is the date in which the expense was incurred. Based upon this evidence, among other things, I recall that the following events occurred between May 10, 1993 and May 18, 1993:

on May 10, 1993, I revised the claims of the aforementioned patent application and met with the inventors for about 2.5 hours;

EXHIBIT

B

on May 11, 1993, I spent about 5.1 hours revising the aforementioned patent application, preparing the formality documents (*i.e.*, Combined Declaration and Power of Attorney, Small Entity Statement, and Assignment), and drafting a letter to the inventors forwarding the final version of the application and the formality documents for their review and signature;

on May 12, 1993, I reviewed and sent the letter to the inventors via U.S. mail, a copy of which is submitted herewith as Exhibit D, along with the final version of the aforementioned patent application and formality documents (*i.e.*, Combined Declaration and Power of Attorney, Small Entity Statement, and Assignment) that needed to be signed by the inventors;

on information and belief, between May 13, 1993, and May 15, 1993, the inventors received and reviewed for accuracy the final version of the application and the formality documents, signed the formality documents (and had the Assignment notarized), and mailed the application and the formality documents back to me;

May 15, 1993 was a Saturday, and May 16, 1993, was a Sunday (no mail on this day); and

on May 17, 1993, I received the application and formality documents from the inventors, had a conversation with the draftsman regarding the formal drawings (I think to get another copy for the file), reviewed these documents, prepared the application transmittal cover sheet and return post card for the application and formality documents, and filed the application and related documents; I billed about .6 hours for the aforementioned services.

3.

I hereby assert that the dates on Exhibits E-G submitted herewith have been redacted for the protection of the Applicant in the above-identified application. Each redacted portion of the Exhibits E-G corresponds to a date prior to May 14, 1993.

4.

Furthermore, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that

these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FURTHER AFFIANT SAYETH NOT.

Scott A. Horstemeyer
Scott A. Horstemeyer

7/14/99
Date